

Code of Federal Regulations by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.¹

(Approved by the Office of Management and Budget under control number 0579-0084)

[40 FR 27009, June 26, 1975]

EDITORIAL NOTE: For Federal Register citations affecting § 77.1, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 77.2 General restrictions.

Cattle and bison may not be moved interstate except in compliance with this part.

[52 FR 39615, Oct. 23, 1987]

§ 77.3 Movement from accredited-free States, accredited-free (suspended) States, and modified accredited States.

Cattle or bison not known to be affected with or exposed to tuberculosis, originating in an accredited-free State, an accredited-free (suspended) State, or a modified accredited State, may be moved interstate without restriction.³

[59 FR 9072, Feb. 25, 1994]

§ 77.4 Movement from nonmodified accredited states.

Cattle or bison not known to be affected with or exposed to tuberculosis, originating in a nonmodified accredited state, shall only be moved interstate if:

(a) Such cattle or bison are accompanied by a certificate stating that such cattle or bison have been classified negative to an official tuberculin test, which was conducted within 30 days prior to the date of movement. All cattle or bison not individually identified by a registration name and number shall be individually identified by an

APHIS approved metal eartag or tattoo; or

(b) Such cattle or bison are from an accredited herd and they are accompanied by a certificate showing the cattle to be from such a herd; or

(c) Such cattle or bison are moved interstate directly to slaughter to an establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) or to a State inspected slaughtering establishment which has inspection by a State inspector at the time of slaughter.

[43 FR 34431, Aug. 4, 1978. Redesignated at 52 FR 39615, Oct. 23, 1987, and amended at 52 FR 39616, Oct. 23, 1987; 54 FR 31165, July 27, 1989]

§ 77.5 Interstate movement of cattle and bison that are exposed, reactors, or suspects, or from herds containing suspects.

(a) *Reactor cattle and bison.* Cattle or bison which have been classified as reactor cattle or bison may be moved interstate only if they are moved directly to slaughter at an establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) or to a State-inspected slaughtering establishment which has inspection by a State inspector at the time of slaughter, and only upon compliance with the following conditions:

(1) Reactor cattle and bison must be individually identified by attaching to the left ear an approved metal eartag bearing a serial number and the inscription "U.S. Reactor", or a similar State reactor tag, and must be:

(i) Branded with the letter "T," at least 5 by 5 centimeters (2 by 2 inches) in size, high on the left hip near the tailhead; or

(ii) Permanently identified with the letters "TB" tattooed legibly in the left ear and sprayed with yellow paint on the left ear, and either accompanied directly to slaughter by an APHIS or State representative or moved directly to slaughter in vehicles closed with official seals. Such official seals must be applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

(2) The reactor cattle or bison shall be accompanied by a permit; and

¹Copies may be obtained from the Animal and Plant Health Inspection Service, Veterinary Services, Cattle Diseases and Surveillance, 4700 River Road Unit 36, Riverdale, Maryland 20737-1231.

³The regulations of the State of destination should be consulted before shipments are made from accredited-free, accredited-free (suspended) and modified accredited States.

(3) The reactor cattle or bison shall not be moved interstate in a means of conveyance containing any animals susceptible to tuberculosis unless all of the animals are being moved directly to slaughter; and

(4) Any person who moves reactor cattle or bison interstate under this paragraph shall plainly write or stamp upon the face of the transportation document the words “Tuberculin Reactor” and the following statement: “This conveyance shall be cleaned and disinfected in accordance with § 77.5(a)(5) of the regulations.”; and

(5) Each means of conveyance in which reactor cattle or bison have been transported interstate under this paragraph shall be cleaned and disinfected by the carrier, in accordance with the provisions of §§ 71.6, 71.7, and 71.10 of this subchapter, under the supervision of an APHIS representative or State representative or an accredited veterinarian or other person designated by the Administrator. If, at the point where the cattle are unloaded, such supervision or proper cleaning and disinfecting facilities are not available, and permission is obtained from an APHIS representative or State representative, the empty means of conveyance may be moved to a location where such supervision and facilities are available for cleaning and disinfecting. Permission shall be granted if such movement does not present a risk of the dissemination of tuberculosis.

(b) *Exposed cattle and bison.* Except for the movement of exposed cattle to a quarantined feedlot in accordance with § 50.16 of this chapter, exposed cattle or exposed bison shall be moved interstate only if they are moved directly to slaughter to an establishment operating in accordance with the Federal Meat Inspection Act (21 U.S.C. 601–695) or to a state inspected slaughtering establishment which has inspection by a state inspector at the time of slaughter and only in accordance with the following conditions:

(1) Exposed cattle and bison must be individually identified by attaching to either ear an approved metal eartag bearing a serial number, and must be:

(i) Branded with the letter “S,” at least 5 by 5 centimeters (2 by 2 inches)

in size, high on the left hip near the tailhead; or

(ii) Accompanied directly to slaughter by an APHIS or State representative; or

(iii) Moved directly to slaughter in vehicles closed with official seals. Such official seals must be applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

(2) Such exposed cattle or bison shall be moved in accordance with the requirements pertaining to reactor cattle or bison contained in paragraphs (a)(2), (a)(3), and (a)(5) of this section.

(c) *Suspect cattle and bison.* Suspect cattle or bison which have not been retested and found negative from herds in which no reactor cattle or bison have been disclosed on an official tuberculin test, and negative cattle or bison from such herds, shall only be moved interstate if they are moved directly to slaughter to an establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) or to a State inspected slaughtering establishment which has inspection by a State inspector at the time of slaughter.

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[43 FR 34431, Aug. 4, 1978, as amended at 51 FR 33736, Sept. 23, 1986; 52 FR 1317, Jan. 13, 1987. Redesignated at 52 FR 39615, Oct. 23, 1987, and amended at 52 FR 39616, Oct. 23, 1987; 54 FR 31165, July 27, 1989; 60 FR 48367, Sept. 19, 1995; 61 FR 25138, May 20, 1996]

§ 77.6 Other movements.

The Administrator may, with the concurrence of the livestock sanitary officials of the State of destination, upon request in specific cases, permit the movement of cattle or bison not otherwise provided for in this part which have not been classified as reactor cattle or bison and are not otherwise known to be affected with tuberculosis, under such conditions as he may prescribe in each specific case to prevent the spread of tuberculosis. The Administrator shall promptly notify